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ARIZONA CORPORATION COMMISSION

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July 9, 2010

ORIGINAL

SolarCity Corporation
E-20690A-09-0346

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUL - 9 2010

Paul Newman Concurrence

DOCKETED BY

I am writing a concurrence for two reasons: (1) to agree with Chairman Mayes' narrowly tailored amendment, and (2) to emphasize that the instant situation could not have been foreseen by the drafters of Arizona's Constitution.

The central-station thermoelectric power plants have not changed much over the past one hundred years. In contrast, the wave of innovation in clean energy sources is sweeping across our country and our state like a breath of fresh air. During the past century we've used coal, natural gas and nuclear energy to boil water; now it's time to use the sun. Twenty years from now, our electricity system is sure to be much different than it is today, with new renewable generation and storage technologies.

This decision doesn't mean we'll be sitting in a dark room without electricity, sweating out the summer months. Rather it will open up Arizona to tens of thousands of jobs, expand our research and development, manufacturing base and skill-sets.

As author Thomas Friedman said recently that the country that solves 'ET' – Energy Technology – will have energy security, economic security, national security, competitive industries, healthier populations and global respect. I strongly agree with his views. The Commissions decision will move to set the economic development table for the State of Arizona and its citizens to harness the suns energy by establishing a fair and level playing field for energy innovation.

In 1931, Thomas Edison said

"We are like tenant farmers chopping down the fence around our house for fuel when we should be using Nature's inexhaustible sources of energy — sun, wind and tide. ... I'd put my money on the sun and solar energy. What a

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source of power! I hope we don't have to wait until oil and coal run out before we tackle that.”¹

Consumers will be protected under the Mayes amendment. The Arizona Attorney General's office has a vigorous and effective consumer fraud division; and data submitted by the Better Business Bureau at the June 30, 2010 Open Meeting during the SolarCity docket public comment showed that while the number of solar *inquiries* is increasing rapidly, the number of complaints remains low.² In addition, SolarCity and other solar providers are subject to Arizona personal jurisdiction and must comply with state statutes that protect consumers against defective products, and predatory and fraudulent practices.

Let's not fear change. Rather we must embrace our solar future, since Arizona has far more to gain than lose. Indeed, Arizona is establishing itself as a leader in development of solar energy and will be a catalyst for our entire nation's energy security.

¹ In conversation with Henry Ford (1931); as quoted in *Uncommon Friends : Life with Thomas Edison, Henry Ford, Harvey Firestone, Alexis Carrel & Charles Lindbergh* (1987) by James Newton, p. 31

² See attachment from the Better Business Bureau submitted at Open Meeting on June 30, 2010.



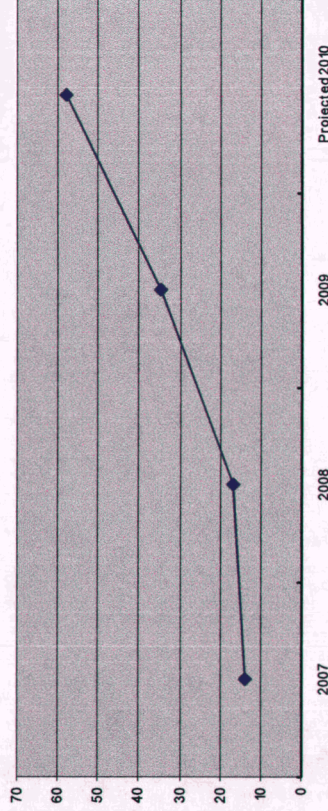
Start With Trust™

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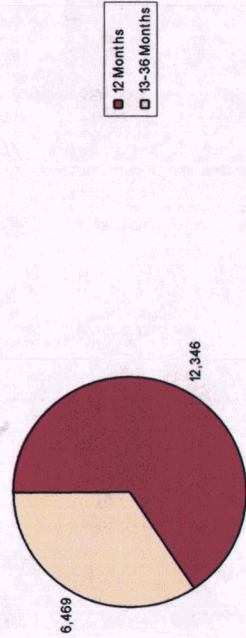
BBB SOLAR INDUSTRY STATISTICS*

BBB	Consumer Complaints	Total	2010 YTD	2009	2008	2007
	Solar Energy Equipment & Systems Dealers	84	28	28	14	14
	Solar Energy Equipment & Sys. Mfg./Dist.	3	0	2	1	0
	Solar Energy Equipment & Systems Service/Repair	3	0	2	1	0
	Solar Energy System Design & Installation	2	1	1	0	0
	Solar Energy Equipment & Systems Supplies/Parts	3	0	2	1	0
	Solar Energy Products- Retail	0	0	0	0	0
	Totals	95	29	35	17	14

Solar Industry Complaints



Solar Industry Inquiries



BBB	Consumer Inquiries	36 Month Total	June 2009- June 2010	June 2007- June 2009
	Solar Energy Equipment & Systems Dealers	15,066	10,034	5,032
	Solar Energy Equipment & Systems Service/Repair	1,384	562	822
	Solar Energy Equipment & Sys. Mfg./Dist.	1,091	828	263
	Solar Energy System Design & Installation	705	623	82
	Solar Energy Equipment & Systems Supplies/Parts	559	296	263
	Solar Energy Products- Retail	10	3	7
	Totals	18,815	12,346	6,469

* Industry statistics are those of the BBB Serving Central, Northern & Western Arizona

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